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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/684,965	10/10/2000	Yuki Uchida	197849US-28	4230

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2145

MAIL DATE	DELIVERY MODE
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02/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

09/684,965

Applicant(s)

UCHIDA ET AL.

Examiner

Thomas Duong

Art Unit

2145

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 16 January 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: None.
Claim(s) objected to: None.
Claim(s) rejected: 1-8, 10-20, 22-32, 34-40, 42-45, 47-50, 54-56, 58-60, 62-64, 66-68, 70-72, and 74-76.
Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
Please see continuation sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.


JASON CARDONE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Argument

1. The Applicants' arguments filed on January 16, 2007 have been fully considered, but they are not persuasive.
2. With regard to claims 1, 13, 25, 37, 42, and 47, the Applicants point out that,
 - *However, outputting search results "in a desired format" is not the same as "formatting said document from said application service provider into a standardized format..." as recited in independent Claim 1.*
 - *Moreover, the presentation step described by Delano does not include a step of formatting a document. Instead, as discussed above, the presentation step of Delano simply describes how search results are reported to the user, but does not teach or suggest that any formatting of a document is performed, whatsoever. For example, if the result of a search in Delano returns a PDF or Word document, the user must then select this document from the list, or from a hyperlink, then open the document using the appropriate software. The present invention solves this problem by "formatting said document from said application service provider into a standardized format..." to be displayed by a user. Delano fails to teach or suggest this claimed feature.*

However, the Examiner finds that the Applicants' arguments are not persuasive because Delano discloses, *"the Ranked Topic and Content Index 21 may be any information source from which the appropriate content can be retrieved according to the topic filter applied. This can be accomplished with a relational database table or*

tables which contain the relationship between the search topics, the content, and the applicability weight of the relationship between the topic and the content. Once the appropriate content is selected, the content is sorted or ranked accordingly from the most applicable to the least applicable as in step 203. In step 204, the ranked content is then presented to the user in the desired output format, typically a Web Page or set of pages that display the list of content and content links from which the Searcher 32 can choose" (Delano, col.6, lines 37-49). Hence, Delano teaches of conducting search queries of at least one database from a global of databases of the providers based on the user's request, ranking or sorting the resulting content by their applicability, and presenting the ranked or sorted resulting content to the user in the desired output format, which, in this case, is the web browser presenting the web contents (i.e., web pages from a variety of sources, regardless of the sources) recommended by the system. In addition, Delano discloses, *"Web Browser or Browser: A tool which enables a user to traverse through and view documents residing on the Web. Other rendering means associated with the Browser will permit listening to audio portions of a document or viewing video or image portions of a document"* (Delano, col.4, lines 45-49). Delano discloses, *"Content: A piece of information or data that provides the fulfillment to a topic request. Content includes, but is not limited to Links to other resources, text, hypertext, images, audio, video, alternative Topics, and sub-topics"* (Delano, col.4, lines 60-63). Hence, Delano teaches of the use of the web browser to retrieve and view the contents presented by the system based on the user's request.

3. With regard to claims 1, 13, 25, 37, 42, and 47, the Applicants point out that,

Art Unit: 2145

- *However, outputting search results “in a desired format” is not the same as “formatting said document from said application service provider into a standardized format...,” as recited in independent Claim 1.*
- *Moreover, the presentation step described by Delano does not include a step of formatting a document. Instead, as discussed above, the presentation step of Delano simply describes how search results are reported to the user, but does not teach or suggest that any formatting of a document is performed, whatsoever. For example, if the result of a search in Delano returns a PDF or Word document, the user must then select this document from the list, or from a hyperlink, then open the document using the appropriate software. The present invention solves this problem by “formatting said document from said application service provider into a standardized format...,” to be displayed by a user. Delano fails to teach or suggest this claimed feature.*

However, the Examiner finds that the Applicants' arguments are not persuasive because the Applicants disclose, “the document manager 60 may also includes a format standardizing device 66 configured to standardize the formats of the documents retrieved from various ASPs. For example, the format standardizing device 66 can re-format the documents so that they may be accessed using a single GUI. Such re-formatting devices are well-known in the art. In one embodiment, the format standardizing device 66 receives the standard format from the user interaction device 65 and stores the standardized documents in the storage device 64. The documents to be formatted by the format standardizing device 66 can be received from the ASPs via network 50, from the user 70 via the network 55, from the storage device 64, or from the user interaction device 65” (Specification, col.8, lines 10-18).

Art Unit: 2145

Hence, the Applicants clearly admit that it is well known in the art to reformat documents into standardized formats.